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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.679 OF 2007

Shri Baban Rakmaji Dhus ... Petitioner

Vs.

The State of Maharashtra & Ors. ... Respondents

Mr. Srikant Bhat with Mr. G.S. Hiranandani for the petitioner.

Ms. P.H. Kantharia, A.P.P. for respondents 1, 5 and 6 - State.

Ms. A.n. Pathan for respondent 4 – B.M.C.

CORAM : SMT. RANJANA DESAI & D. B. BHOSALE, JJ.

DATED : 21ST JUNE, 2007.

P.C.:-

1. The petitioner has prayed for quashing of FIR No.266 of 2006 registered at Kalachowki Police Station, Mumbai.

2. We have heard the learned counsel for the petitioner, the learned counsel for the respondents and the learned A.P.P. for the State. We are informed by the learned counsel for the petitioner and the respondents that the parties have amicably settled all disputes and have tendered in this court consent minutes of the order. Today, in the court, Mr. Nivrutti Dhus and Ms. Vaishali Dhus and their respective parents are present. They have signed the

consent minutes of order. Their respective counsel have also signed the consent minutes of order. The consent minutes of order are taken on record and marked "X". Mr. Nivrutti Dhus and Ms. Vaishali Dhus and their respective parents confirm that all disputes have been settled. In view of this, we pass order in terms of the consent minutes of order. In view of the settlement and in the light of the judgment of the Supreme Court in ***B.S. Joshi & Ors. v. State of Haryana & Anr., 2003 ALL MR (Cri) 1162 (S.C.)***, Case No.CC/105/PW/2007 pending in Court of Metropolitan Magistrate, 15th Court, Mazogaon in FIR No.266 of 2006 under sections 491, 406, 34 of IPC and sections 3 and 4 of Dowry Prohibition Act, is quashed.

3. In view of the settlement, respondent 4 - BMC shall not take any action against the petitioner – Baban Rakhmaji Dhus in pursuance of registration of the offence against him being FIR No.266 of 2006 registered at the Kalachowki Police Station, Mumbai.

4. Petition is disposed of.

[SMT. RANJANA DESAI, J.]

[D. B. BHOSALE, J.]